

**ORDINANCE NO. 2012-3052**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**ORDINANCE REORGANIZING THE STRUCTURE OF  
THE DEPARTMENTS OF PUBLIC WORKS AND RECREATION**

**WHEREAS**, changes in the structure of Township operations over the last few years, including the retention of an in house engineer, employee attrition, retirements and layoffs necessitate the need to update the Township's code to properly reflect and formalize current arrangements.

**WHEREAS**, the Township Administrator recommends formalizing these changes and other restructuring of Township departments to further increase efficiency as being in the best interest of the Township's taxpayers.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that the Code of the Township of Middletown (1996) be and is hereby supplemented and amended as follows:

**Article VII**

**Department of Public Works and Engineering**

**4-40 Establishment: Director of Public Works**

- A. The head of the Department of Public Works and Engineering shall be the Director of Public Works. The Director of Public Works may serve as head of any division listed in section 4-42, upon appointment by the Township Administrator.
- B. [No Change]
- C. Within the Department of Public Works there shall be an Assistant Director of Public Works. Upon recommendation of the Director of Public Works and approval of the Township Administrator the Assistant Director may serve as head of any division listed in Section 4-42, except that of the Division of Engineering.
- D. Heads of all divisions listed in on Section 4-42 shall report to the Director of the Department of Public Works, or in their absence the Assistant Director of Public Works.

**4-41 Organization**

Within the Department there shall be the following Divisions:

- A. Division of Engineering
- B. Division of Public Roads
- C. Division of Solid Waste and Recycling
- D. Division of Vehicle and Equipment Maintenance
- E. Division of Buildings and Grounds
- F. Division of Parks Maintenance

#### **4-42 Division of Engineering**

- A. The head of the Division of Engineering shall be the Township Engineer, when the Township Engineer is also a Middletown Township full or part time employee. The Township Engineer shall be a fully licensed Professional Engineer in the State of New Jersey and who shall be qualified by training and or experience for the duties of this office. The Township Engineer may also serve as the Director of Public Works.
- B. [No Change]

#### **4-43 Consulting Engineer**

[No Change]

#### **4-44 Division of Public Roads**

[No Change]

#### **4-45 Division of Solid Waste and Recycling**

[No Change]

#### **4-46 Division of Vehicle and Equipment Maintenance**

- A. [No Change]
- B. Provide for the maintenance and repair of township-owned vehicles and equipment as well as vehicles and equipment contracted for maintenance with another agency and/or governmental entity for which the Township Committee authorizes by adoption of Agreement.
- C. [No Change]

#### **4-47 Division of Parks Maintenance.**

Within the department of Public Works there shall be a division of Parks Maintenance. The Division Shall:

- A. Maintain all Township lands including maintenance and upkeep of all parks, both developed and undeveloped and all park related facilities.
- B. Maintenance and upkeep of developed parks shall include maintenance, grass cutting, lining and striping and necessary repairs of all athletic fields. Maintenance of undeveloped parks shall include general and routine maintenance, periodic removal of trash and debris, clearing and maintenance of all pathways, driveways and roadways.
- C. Maintain all other recreation facilities including but not limited to playgrounds, tennis courts, basketball courts, fencing, backstops, roller hockey rinks, parking areas, backstops, benches and bleachers. Maintenance shall include the development of a Maintenance Schedule for all facilities.
- D. Work closely with sports and recreational leagues within the Township to develop and maintain relationships for sharing and coordination of services for various parks. This shall include the facilitation of at least one general meeting per year whereby representatives of all active leagues and organizations will be invited and including parks maintenance staff. The purpose of said meeting will be to discuss all issues and concerns of the leagues and well as the Township.
- E. Maintenance of all public bathing beaches including routine maintenance and debris removal in order to ensure safe and proper public access and use. Public bathing beaches shall be prepared for opening prior to Memorial Day each year.
- F. Maintenance of facilities in conformance with ADA requirements including periodic ADA related upgrades and site modifications in accordance with the Township's adopted ADA Transition Plan.
- G. Work closely and in coordination with the Director of Recreation on timing and scheduling of all work to ensure maximum efficiency and to ensure facilities are ready and available when needed for recreational programs and activities.
- H. Nothing within this article shall be construed as notice of any dangerous condition existing on any Township property or a waiver of any immunities provided under the Tort Claims Act. The use of any and all Township properties, parks or recreational facilities, in particular, those that are not improved and in a natural or undeveloped state, shall be at an individual's own risk.

#### **4-47A. General Services**

[No change]

## **Article X**

### **Department of Recreation**

#### **4-59. Establishment; Director**

- A. There shall be a Department of Recreation, the head of which shall be the Director of Recreation. At the time of appointment the Director shall be qualified by training and experience for the duties of the office.

#### **4-60. Powers and Duties.**

- A. Provide for year round programming of wholesome recreational activities for Township residents.
- B. Cooperate and coordinate with other municipal departments, youth organizations, leagues, clubs, service organizations to further recreational interests and opportunities in the Township.
- C. Plan develop and coordinate the use of recreational and park facilities, including the issuance off use permits. Maintenance and upkeep of park and recreational facilities shall be the responsibility of the Department of Public Works, but shall be closely coordinated with the Department of Recreation.
- D. Plan and operate Township Public Bathing Beaches and beach related facilities, to the extent that funds are available, including supervision of concessionaires and lifeguards at all beaches, parks and other recreation areas.
- E. Work closely with the Board of Recreation Commissioners in exercising their functions, powers and duties, per N.J.S.A. 40.12-1 et seq., subject to the requirements of Township ordinances.
- F. From time to time enter into agreements and understandings with other entities such as the Board of Education and other governmental agencies for joint and cooperative program planning and facility usage, with the prior approval of the Township Administrator and/or Governing Body.
- G. [Delete]
- H. [Delete]

#### **4-61. Powers and Duties of the Director**

[No Change]

**~~4-62. Assistant Superintendent of Recreation.~~**

[Delete]

**4-63. Collection of Charges and Fees**

[No Change]

**4-64. Rules and Regulations**

[No Change]

**~~4-65. Parks and Open Space~~**

[Delete]

Heidi R. Brunt, RMC, CMC  
Township Clerk